IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 15298 of 2005

Between:

1 P.N.Eswaraiah, s/o P.N.Nanjaiah,
r/o 9-1-9, BT Compound, R.S.Road,

Hindupur, Ananthapur District.
2 P.N.Laxminarayana, s/o P.N.Nanjaiah,
r/o 9-1-9, BT Compound, R.S.Road,

Hindupur, Ananthapur District.

..... PETITIONERS

AND

1 The Commissioner, Hindupur Municipality,

Hindupur, Ananthapur District.
2 The Chairman, Hindupur Municipality,

Hindupur, Ananthapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in seeking to dispossess of the petitioners from their patta land in Sy.No.115-1B an extent of Ac.0.81 cents situated in Hindupur Municipality, Hindupur, Ananthapur District without following due procedure of law, as illegal, arbitrary, unjust and violative of Articles 14, 19(1)(g) and 21 of the Constitution of India, and pass such other order or orders.

Counsel for the Petitioner: MR.P.NARAHARI BABU

Counsel for the Respondent Nos.1 and 2: MR.S.I.NEWTON

The Court at the stage of admission made the following:

ORDER:

When the writ petition came up for hearing, the learned standing counsel for the respondent Municipal Corporation, on instructions, submitted that the respondent authorities are no way concerned with the dispossession of the petitioners from the land in question. On the other hand, it is for the Revenue Department, taking steps to dispossess the petitioner from the land, which was assigned to the petitioners' predecessors by the revenue department.

In view of the submissions made by the learned standing counsel for the respondent corporation, the writ petition is liable to be dismissed for non-joinder of necessary parties.

Recording the above submissions made by the learned standing counsel for the respondent Corporation, the Writ Petition is disposed of. No order as to costs.

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ELIPE DHARMA RAO,J

Dated: 14.07.2005

Dsr

To:

1. The Commissioner,

Hindupur Municipality,

Hindupur, Ananthapur District

2. The Chairman,

Hindupur Municipality,

Hindupur, Ananthapur District

3. Two CD copies

4. 1 CC to MR.NEWTON

5. 1 CC to MR.NARAHARI BABU

*Form-NIC-OGS/WP{**RS**}*